

WHITE AND WILLIAMS LLP

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Attorneys for Plaintiff, State Farm Fire and Casualty Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE FARM FIRE AND CASUALTY
COMPANY,

Plaintiff,

vs.

ISAAH LYNCH; CYNTHIA McGRATH,
INDIVIDUALLY AND AS
ADMINISTRATRIX AD PROSEQUENDUM
OF THE ESTATE OF MEGAN WRIGHT,
DECEASED, AND AS GENERAL
ADMINISTRATRIX OF THE ESTATE OF
MEGAN K. WRIGHT, DECEASED;
DOMINICAN COLLEGE OF BLAUVELT,
NEW YORK; SISTER MARY EILEEN
O'BRIEN, INDIVIDUALLY AND AS
PRESIDENT OF DOMINICAN COLLEGE;
JOHN LENNON, INDIVIDUALLY AND AS
DIRECTOR OF SECURITY OF
DOMINICAN COLLEGE; JOHN
PRESCOTT, INDIVIDUALLY AND AS
DEAN OF STUDENTS OF DOMINICAN
COLLEGE; CARLYLE HICKS,
INDIVIDUALLY AND AS DIRECTOR OF
RESIDENT LIFE OF DOMINICAN
COLLEGE; RICHARD FEGINS, JR.;
KENNETH A. THORNE, JR.; and TERRELL
E. HILL,

Defendants.

CIVIL CASE NO.: 08-cv-5249

The Honorable Robert W. Sweet

CIVIL ACTION

**AFFIDAVIT OF GEOFFREY F. SASSO IN
SUPPORT OF REQUEST FOR ENTRY
OF DEFAULT AGAINST RICHARD
FEGINS, JR.**

STATE OF NEW JERSEY)
) SS:
COUNTY OF BERGEN)

Geoffrey F. Sasso, Esq., by way of affidavit, says:

1. I am an attorney at law, admitted to practice in the United States District Court for the Southern District of New York and an associate with the law firm of White and Williams, LLP, attorneys for Plaintiff, State Farm Fire and Casualty Company (hereinafter "State Farm"). As such, I am fully familiar with the facts as hereinafter set forth.

2. This matter is presently consolidated with the lawsuit of Cynthia McGrath, Individually, and as Administratrix Ad Prosequendum of the Estate of Megan K. Wright, Deceased, and as General Administratrix of the Estate of Megan K. Wright, Deceased v. Isaiah Lynch, et al., Civil Action Number 07-cv-11279 RWS.

3. The Complaint for Declaratory Judgment in this matter was filed on or about June 9, 2008.

4. A copy of the Summons, Complaint, Civil Case Cover Sheet and Rule 7.1 Statement were personally served upon Defendant, Richard Fegins, Jr. on June 30, 2008 by leaving copies thereof at Fegins' dwelling house or usual place of abode, located at 816 E. Blancke Street, Linden, New Jersey 07036 with Fegins' mother, Pauleta Soloman, a person of suitable age and discretion residing therein. (See a true and correct copy of an Affidavit of Service annexed hereto as **Exhibit 1.**)

5. The Affidavit of Service was filed on March 22, 2010. (See **Exhibit 1.**)

6. To date, Fegins has not answered the Complaint and the time for Fegins to Answer said Complaint has expired.

7. Fegins has not sought an extension of time within which to Answer the Complaint.

8. Fegins is not a minor or mentally incompetent person nor, upon information and belief, is he in the military service of the United States.

9. This matter is a lawsuit seeking a declaration by the Court with regard to the rights of the parties in connection with a homeowner's policy.

10. Due to Fegins' failure to appear and defend this action, entry of default against Fegins is appropriate.

DATED: April 5, 2010


WHITE AND WILLIAMS LLP
Attorneys for Plaintiff, State
Farm Fire and Casualty Company

BY:



Geoffrey F. Sasso

Sworn and subscribed to before me
this 5th day of April, 2010.



Robert P. Piro
Attorney at Law
State of New Jersey